

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. <u>63-31297</u>
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT
	)	

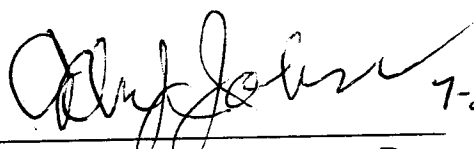
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

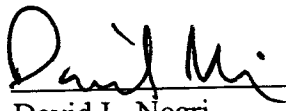
CLAIMANT:

South Fork Ranch Subdivision

 7-25-03
Calmer Johnson Date

OBJECTOR:

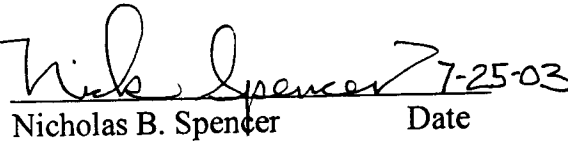
United States on behalf of the
USDA Forest Service

 7/25/03
David L. Negri Date

IDWR CONCURRENCE:

 7-25-03
Jan Shurte Date

ATTORNEY FOR IDWR:

 7-25-03
Nicholas B. Spencer Date

CERTIFICATE OF MAILING

I certify that on July 25, 2003, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Fax Filed

Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

hand delivered

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Copies to all parties to the subcase (insert names and addresses here):

South Fork Ranch Subdivision
C/O Calmer or Enide Johnson
1782 N. Haskett St.
Mountain Home, ID 83647-1674



David L. Negri

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31297

NAME AND ADDRESS:

SOUTH FORK RANCH SUBDIVISION
C/O CALMER OR ENIDE JOHNSON
1782 N HASKETT ST
MOUNTAIN HOME ID 83647-1674

SOURCE:

BIG WATER GULCH	Tributary: <u>BOISE RIVER SOUTH FORK</u>
~~BIG WATER GULCH CREEK~~	~~SOUTH FORK BOISE RIVER~~
<u>LITTLE WATER GULCH</u>	<u>BOISE RIVER SOUTH FORK</u>
~~LITTLE WATER GULCH CREEK~~	~~SOUTH FORK BOISE RIVER~~
<u>VAN GULCH</u>	<u>BOISE RIVER SOUTH FORK</u>
~~VAN GULCH CREEK~~	~~SOUTH FORK BOISE RIVER~~

QUANTITY:

0.100 CFS
20.000 AFY

PRIORITY DATE:

10/05/1899

POINT OF DIVERSION:

T03N R11E S11 NESE
Within ELMORE CountyT03N R11E S12 NWNE
Within ELMORE CountyT03N R11E S12 NESW
Within ELMORE County~~T03N R11E S12 SESE~~
~~Within ELMORE County~~T03N R11E S12 SESE Lot 7
Within ELMORE CountyPURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
WILDLIFE	01/01 12/31	20.00 AFY
AESTHETIC	01/01 12/31	20.00 AFY
DIVERSION TO STORAGE	04/15 10/31	0.100 CFS

PLACE OF USE:

WILDLIFE	within ELMORE County
T03N R11E S11 NWSE	
T03N R11E S11 SWSE	
AESTHETIC	within ELMORE County
T03N R11E S11 NWSE	
T03N R11E S11 SWSE	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

All places of use are on private land within Homestead Entry Survey
(HES) 149.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PN

NBS